IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

Bail Appl..No. 1331 of 2007

CRIME NO.54/2007 OF MEDICAL COLLEGE POLICE STATION, KOZHIKODE

.....

: PETITIONER/ACCUSED

---

1. SHYJU C., S/O. VELAYUDHAN, AGED 31 YRS,
KALAMKOLLI PARAMBA, IRINGALLOOR AMSOM DESOM,
PALAZHIPALA, GURUVAYOORAPPAN COLLEGE P.O.,
KOZHIKODE.

2. SHAJI C., S/O. VELAYUDHAN, AGED 32 YRS,
KALAMKOLLI PARAMBA, IRINGALLOOR AMSOM DESOM,
PALAZHIPALA, GURUVAYOORAPPAN COLLEGE P.O.,
KOZHIKODE DISTRICT.

BY ADV. SRI.P.S.SREEDHARAN PILLAI
SMT.C.G.PREETHA
SMT.P.RANI DIOTHIMA

RESPONDENTS: COMPLAINANT/STATE

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1331/2007

Dated this 6th day of March, 2007

O R D E R

The petitioners, who are accused Nos. 1 and 2 in Crime No.54/2007 of Medical College Police Station, Kozhikode, for offences punishable under Sections 323 and 326 IPC read with Section 34 IPC, seek anticipatory bail.

2. The case of the prosecution is that at about 10.00 a.m on 15.2.2007, the petitioners attacked the defacto complainant with a ripper and bare hand and caused injuries including fracture on metacarpals.

3. The learned Public Prosecutor opposed the application.

4. Anticipatory bail cannot be granted in a case of this nature. But at the same time I am inclined to permit the petitioners to surrender before the Investigating Officer and then to have their applications for regular bail ordered by the Magistrate concerned.

5. Accordingly, the petitioners shall surrender before

the Investigating Officer on any day between 13.3.2007 and 15.3.2007 for the purpose of interrogation and recovery of incriminating materials, if any. Thereafter, the petitioners shall be produced before the Magistrate having jurisdiction, on the same day. The Magistrate shall release them on bail on appropriate conditions.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs